

IN THE HIGH COURT OF ORISSA AT CUTTACK

MATA No.55 of 2015

Mragendra Kant Manglik

....

Appellant

Mr. R.K. Mohapatra, Advocate

-versus-

Preeti Jhunhunwala

....

Respondent

Mr. S.S. Das, Sr. Advocate

CORAM:

JUSTICE C.R. DASH

JUSTICE M.S.SAHOO

ORDER

11.04.2022

Order No.

16.

1. This matter is taken up by hybrid (virtual/physical) mode.
2. Heard Mr. R.K. Mohapatra, learned counsel for the appellant and Mr. S.S. Das, learned Sr. Counsel for the respondent.
3. Admittedly, the appellant has married in the meantime and is blessed with two children. Admittedly, the respondent has also got married in the meantime.
4. Learned Judge, Family Court, Bhubaneswar vide order dated 20.01.2015 passed decree of divorce in between the parties w.e.f. the date of decree and the present appellant was directed to pay monthly permanent alimony of Rs. 25,000/- to the present respondent from the date of filing of the petition till the respondent get remarried or otherwise disqualified to get maintenance under the statute.
5. Mr. Das, learned Sr. Counsel for the respondent submits that marriage of the respondent was solemnized on 27.02.2016. The petition by the respondent U/s.19(1) of Family Courts Act, 1984 was filed on 17.05.2013 and therefore the present

respondent is entitled to get monthly permanent alimony of Rs. 25,000/- from 17.05.2013 to 27.02.2016.

6. For the aforesaid period, the quantum of maintenance as calculated comes to Rs.8,43,300/- as submitted by Mr. Das, learned Sr. Counsel for the respondent.

7. Regard being had to the facts and submissions and taking into consideration the circumstances involved, when both the parties have got married, we feel it just and proper to confine the amount of monthly permanent alimony to Rs.22,500/- and accordingly, the appellant is directed to pay the amount to the respondent at the aforesaid rate from 17.05.2013 to 27.02.2016 (Rs.7,50,000/-).

8. Learned counsel for the appellant submits that the appellant shall pay the aforesaid amount in four equal instalment. Taking into considerations such submissions, we direct Mr. Das, learned counsel for the respondent to give the Bank Account Number of the respondent to the appellant within seven days from today and the appellant is directed to pay the aforesaid amount in four equal bi monthly instalment in the said account of the respondent including the litigation cost.

9. Mr. Das, learned counsel for the respondent undertakes that his client shall not defray any expenses from the account till the entire amount is deposited in the account.

10. With the aforesaid observation, the MATA is disposed of with a further direction that the appellant shall pay litigation cost of Rs. 5000/- to the respondent.

11. If the appellant fails to pay as per the aforesaid direction, the respondent has the right to file petition for contempt for disobedience of this Court.

(C.R. Dash)
Judge

(M.S. Sahoo)
Judge

RRJena

